



ATTORNEY'S DOCKET NUMBER: 0162095-0022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Singer, *et al.*
Serial No.: 09/779,875
Filed: February 8, 2001
For: DYNAMIC SYSTEM CONTROL METHOD

Examiner: Allen Wong
Art Unit: 2613

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

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Sir:

Technology Center 2600

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE

UNDER 37 CFR §§1.56, 1.97 AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants respectfully request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Information Disclosure Statement has been filed:

(check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the above identified U.S. Patent application;
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application; and/or
3. ☒ before the mailing date of the first Office Action on the merits in the above-identified application.

No fee or certification is required.

- B. ☐ This Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of this first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

(check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed; or
2. ☐ Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that
(check a or b below)
 - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement; or
 - b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

- C. ☐ This Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

(check 1, 2, and 3 below)

1. ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(check a or b below)
 - a. ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

- b. ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.
2. ☐ A Petition requesting consideration of the Information Disclosure Statement is attached.
3. ☐ The Petition Fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II - Information Cited

- A. ☒ The Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.
- B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

- A. ☐ The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):
- B. ☐ The following are remarks concerning the other information cited:

PART IV: Remarks

- A. ☒ Copies of references

(check 1 or 2 below)

1. ☒ A copy of each of the references cited on the attached form PTO-1449 (modified) is enclosed;
2. ☐ Copies of certain of the references cited on the attached form PTO-1449 (modified) are not enclosed because each of these references (indicated by asterisk) was previously cited by or submitted to the Office in a prior application, which prior application is relied upon for an earlier filing date under 35 U.S.C. § 120.

B. ☒ It is respectfully requested that:
(check 1, 2, and 3 below)

1. ☒ The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. ☒ The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application;
3. ☒ The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

C. ☒ By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more material information may not exist.

D. ☒ By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- E. ☒ By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.
- F. ☒ Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

An early and favorable action is hereby requested.

Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

By: *John A. Hamilton, III*
John A. Hamilton, III
Registration Number 48,946

CHOATE, HALL & STEWART
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Dated: *6/24/02*
3410051

Form PTO-1449
(REV. 8-83)

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

(Use several sheets if necessary)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Dock
0162095-0022

In re Application No.
09/779,875

Applicant: Singer, et al.

Filing Date:
February 8, 2001

Group: 2613

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U.S. PATENT DOCUMENTS

JUL 02 2002

Examiner's Initials	U.S. Patent No.	Applicant	Issue Date Technology	Class Center 2600	Subclass
	6,195,222	Heminger et al.	February 27, 2001	360	78.07
	5,986,426	Rowan	November 16, 1999	318	599
	6,038,096	Zhang et al.	March 14, 2000	360	78.04
	5,282,100	Tacklind et al.	January 25, 1994	360	97.02
	5,465,035	Scaramuzzo, Jr., et al.	November 7, 1996	318	561
	5,973,871	Dunn et al.	October 26, 1999	360	69
	6,011,667	Dunn et al.	January 4, 2000	360	69
	6,151,182	Koizumi et al.	November 21, 2000	360	69
	6,178,060	Kiu	January 23, 2001	360	78.07
	6,011,373	McConnell et al.	January 4, 2000	318	560
	5,901,009	Sri-Jayantha et al.	May 4, 1999	360	78.07
	5,657,179	McKenzie	August 12, 1997	360	78.06
	5,475,545	Hampshire et al.	December 12, 1995	360	78.06
	6,148,240	Wang et al.	November 14, 2000	700	63
	4,675,761	Ashbee et al.	June 23, 1987	360	78
	4,937,689	Seaver et al.	June 26, 1990	360	78.07
	4,956,831	Sarraf et al.	September 11, 1990	369	32
	4,967,293	Aruga et al.	October 30, 1990	360	78.12
	5,264,771	Kawauchi	November 23, 1993	318	696
	5,291,110	Andrews, Jr. et al.	March 1, 1994	318	560
	5,450,252	Kanda	September 12, 1995	360	55
	5,668,680	Tremaine	September 16, 1997	360	78.07
	5,726,825	Phan et al.	March 10, 1998	360	78.07
	5,751,513	Phan et al.	May 12, 1998	360	78.07
	5,760,991	Phan et al.	June 2, 1998	360	78.07
	5,880,587	Annis et al.	March 9, 1999	324	212
	6,008,640	Tan et al.	December 28, 1999	324	212
	6,013,995	Kim	January 11, 2000	318	561
	6,031,684	Gregg	February 29, 2000	360	78.06
	6,052,252	Kim	April 18, 2000	360	78.09

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.W./



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Form PTO-1449 (REV. 8-83) SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket: 0162095-0022		In re Application No. 09/779,875	
				Applicant: Singer, et al.			
				Filing Date: February 8, 2001		Group: 2613	
	6,101,065	Alfred et al.		August 8, 2000	360	78.04	
	6,111,720	Clare et al.		August 29, 2000	360	78.06	
Examiner's Initials:	Serial Number:	Applicant:		Filing Date:	Group:	Art Unit:	
FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document No.	Country	Date	Translation			
				Yes	No		
	EP0308062	Europe	March 22, 1989				
	GB2303732	United Kingdom	February 26, 1997				
OTHER DOCUMENTS							
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER	/K. Wong/			DATE CONSIDERED	10/25/2008		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.W./